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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

**JOE HAND PROMOTIONS, INC.,**

**Plaintiff,**

**vs.**

**UYEN DANG, et al.**

**Defendant.**

**CASE NO. 5:11-cv-00508-EJD**

**PLAINTIFF'S *EX PARTE*  
APPLICATION FOR AN ORDER  
VACATING THE CASE  
MANAGEMENT CONFERENCE; AND  
ORDER (Proposed)**

**TO THE HONORABLE EDWARD J. DAVILA, THE DEFENDANT, AND THEIR  
ATTORNEYS OF RECORD:**

Plaintiff Joe Hand Promotions, Inc. hereby applies *ex parte* for an order vacating the Case Management Conference in this action, presently set for Friday, August 26, 2011 at 1:30 P.M. This request will be, and is, necessitated by the fact that Defendant Uyen Dang, individually and d/b/a Chot Nho Café is in default<sup>1</sup> and Plaintiff's Application for Default Judgment is presently set to be heard before the Honorable Edward J. Davila on December 16, 2011 at 9:00 A.M.

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<sup>1</sup> As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive pleading from the defendant. As a result, Plaintiff's counsel has not conferred with the defendant concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the case itself or the preparation of a Case Management Conference Statement.

